

§Appl. No. 10/030,688
Amdt. dated November 24, 2004
Reply to Office Action of, August 24, 2004

REMARKS

The following remarks are numbered in accordance with the numbering set forth in the Office action dated August 24, 2004.

4-5. It is believed that it is not necessary to amend the specification by inserting reference to the prior filed PCT application nor to the European applications upon which priority is based. Rule 1.78 requires this only when an application is a continuation of a copending national phase application.

6. Enclosed is the full text of the cited Japanese patent 9-149790 and a machine translation thereof. The Japanese application describes three different amino acid sequences, identified as SEQ ID NOS: 3, 4, and 5. These sequences differ from those of the present invention. For example, SEQ ID NO: 4 of the Japanese application consists of 233 amino acids that have sequence identity with amino acid positions 203-435 of SEQ ID NO:2 of the present application. Thus, SEQ ID NO:4 is a partial sequence and does not contain the protein's N-terminus. SEQ ID NOS: 3 and 5 code for smaller proteins, 223 and 241, respectively, and also have differences at the N- and C-termini from SEQ ID NO:2 of the present application.

7. The specification has been amended by reformatting the hyperlink so that it is not in browser executable code. See, e.g., M.P.E.P. 608.01, Section VII.

8-44. The amended claims are in conformance with the Sections 112, first and second paragraph. This is not an acquiescence to any grounds of rejection, but is for the purpose of clarifying the claims and expediting prosecution. Applicant reserves the right to traverse any rejection in continuing prosecution or applications.

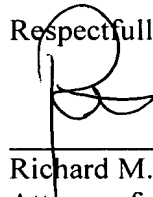
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45-55. The amended claims are not anticipated or rendered obvious by the cited prior art.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which could be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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